

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

YVETTE FELARCA, *et al.*,

Plaintiffs,

v.

ROBERT J. BIRGENEAU, *et al.*,

Defendants.

Case No.: 11-CV-5719 YGR

ORDER REGARDING PLAINTIFFS' FAILURE TO  
RESPOND TO DEFENDANT'S MOTION TO  
DISMISS

Defendants George Hallett, Eric Tejada, and Marc DeCoulode each have filed an individual motion to dismiss. Dkt. Nos. 161 (Hallett Mot.), 162 (Tejada Mot.), 164 (DeCoulode Mot.). The motions were filed, respectively, on July 11, July 15, and July 15, 2013. Pursuant to Civil Local Rule 7-3, Plaintiffs were required to file and serve either an opposition brief or a notice of nonopposition "not more than 14 days after the motion[s] [were] filed." Civ. L.R. 7-3(a); *see also* Civ. L.R. 7-3(b). As such, responses were due July 25, July 27, and July 27, respectively. Though Plaintiffs' responses were due two weeks ago, Plaintiffs to date have failed to respond to all three motions.

Plaintiffs shall respond to the Motions to Dismiss no later than **five (5) calendar days** from the signature date of this Order. Failure to respond by that date will result in dismissal of these Defendants for failure to prosecute. Any reply to an opposition must be served and filed not more than **seven (7)** days after the opposition is served and filed. Civ. L.R. 7-3(c).

The motions' hearing date of September 3, 2013, remains undisturbed.

**IT IS SO ORDERED.**

Dated: August 9, 2013

  
YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT JUDGE